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COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE FEBRUARY 27, 1992 **FILE NO.** 091-56590-1314-037

C- ARMED ROBBERY - 211 P.C./GRAND THEFT AUTO - 487(H) P.C./DEPUTY INVOLVED SHOOTING/SUSPECT INJURED

Action Taken ACTIVE/INVESTIGATION MADE/EVIDENCE HELD/ VEHICLE STOLEN, RECOVERED, STORED AND RELEASED

V- [redacted] **MO/15, DOB:** [redacted]

D- 12-16-91 AT APPROXIMATELY 0710 HOURS (MONDAY) (ARMED ROBBERY)
12-16-91 AT APPROXIMATELY 0738 HOURS (MONDAY) (DEPUTY INVOLVED SHOOTING)

L#1- 11111 ARTESIA BOULEVARD, CERRITOS (GAHR HIGH SCHOOL)(ROBBERY)
L#2- [redacted] ATLANTIC AVENUE, LONG BEACH (SHOOTING)

S- **ROJAS, LEONARD RUIZ MH/22,** DOB: 03-26-69 (MINOR INJURY)
CII [redacted], FBI [redacted], MAIN [redacted], CDC [redacted] (PAROLEE)
CDC [redacted] (PAROLEE), L.A. CO. BOOKING #2858256

DEPUTY INVOLVED

1. PILLEN, GERALD VANE MW/35 (UNINJURED)
   LOS ANGELES COUNTY DEPUTY SHERIFF
   EMPLOYEE #[redacted]
   ASSIGNED TO LAKEWOOD STATION PATROL

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FOR EVIDENCE HELD, REFER TO SUPPLEMENTAL REPORT PREPARED BY INVESTIGATORS CARRILLO AND CHRISTIANSEN.

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STOLEN, RECOVERED, STORED AND RELEASED VEHICLE

1989 FORD MUSTANG CONVERTIBLE, WHITE IN COLOR, BEARING CALIFORNIA LICENSE #[redacted]. R/O: [redacted], [redacted]. VEHICLE STORED AT BRANSON TOW, 19112 PIONEER BOULEVARD, CERRITOS.

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At approximately 0940 hours, Monday, 12-16-91, Investigators Burks and Sears were contacted and dispatched to Location #2 for the

purpose of conducting an investigation into the circumstances and events surrounding the deputy involved shooting.

Investigators were advised that Homicide Detective Gilbert Carrillo and Dale Christiansen were also responding to the location to assist in this investigation.

Investigators Burks and Sears arrived at the location at approximately 1025 hours where they contacted Homicide Lieutenant Brown and Investigators Christiansen and Carrillo.

Lieutenant Brown provided Investigators with a preliminary overview which included the following.

At approximately 0723 hours, Monday, 12-16-91, Deputy Pillen monitored a Sheriff's Radio Center crime broadcast advising of an armed robbery which had just occurred at Location #1. The crime broadcast furnished a description of the stolen vehicle, the lone suspect, and the weapon used, which was described as a small caliber chrome handgun.

Deputy Pillen then assumed a position of surveillance of the traffic on the westbound 91 Freeway at Garfield Avenue. A short time later, Deputy Pillen observed the suspect vehicle westbound on the 91 Freeway and began to follow the suspect vehicle. As the suspect began to exit the freeway at the Atlantic off ramp, Deputy Pillen initiated a pursuit.

Suspect Rojas exited the freeway and traveled northbound on Atlantic Avenue where he lost control of the vehicle and subsequently exited the still-moving vehicle which continued northbound on Atlantic where it finally came to rest on the sidewalk at the southeast corner of Atlantic Avenue and 68th Street.

Suspect Rojas then ran westbound between two apartment complexes at which time Deputy Pillen broadcast his location and pursued the suspect on foot. In doing so, he shouted repeatedly for the suspect to stop. Suspect Rojas disregarded these commands and continued to flee.

As Deputy Pillen closed to within approximately 115 feet of the suspect, who was near the west end of the apartment building at that point, he observed the suspect to suddenly turn toward him. Deputy Pillen, believing the suspect was still armed and preparing to shoot at him, fired one round. This round missed the suspect.

Suspect Rojas then traveled northbound behind the apartment building out of Deputy Pillen's view.

Deputy Pillen then responded to the southwest corner of the apartment building where he had last seen the suspect. From that position he observed the suspect behind an abandoned refrigerator near a concrete wall approximately 140 feet away. He also observed the suspect look toward him from behind the refrigerator. At that point, Deputy Pillen believed the suspect was about to fire at him from his (suspect's) position of cover. At that point, Deputy Pillen fired two rounds at the suspect. He fired his fourth and final round as the suspect ran from behind the refrigerator to behind a dumpster located a few feet away. Suspect Rojas then raised his hands and was taken into custody without further incident.

Lieutenant Brown further advised that Suspect Rojas had sustained an abrasion to his lower back apparently from bullet fragments that ricocheted off the wall behind him. Further, that he had been transported to Lakewood Doctor's Hospital where he was treated and approved for booking.

At approximately 1120 hours, Deputy District Attorney C. Darden and District Attorney Investigator T. Hunter, District Attorney's Special Investigations Division, responded to the scene and were briefed by Lieutenant Brown. Sergeant T. Bradstock and Sergeant T. Martin, Office of Professional and Ethical Standards, also responded to the scene and were briefed by Lieutenant Brown.

It was decided at this point that Homicide Investigators Carrillo and Christiansen would conduct the scene investigation with the assistance of several personnel from the Sheriff's Criminalistics Laboratory and the Staff Artist.

Investigators Carrillo and Christiansen and all assisting Sheriff's Criminalistics Laboratory personnel will prepare detailed supplemental reports as to their actions and observations. These reports will become a permanent part of this case file.

Sergeant Sears and Investigator Burks conducted a walk-through examination of the scene and then responded to Lakewood Sheriff's Station to interview the deputy involved, two civilian witnesses, and the suspect.

Investigators arrived at Lakewood Sheriff's Station at approximately 1200 hours and contacted Deputy John Herrera, #[redacted], assigned to Lakewood Detective Bureau. Deputy Herrera advised that he was one of the investigators assigned to investigate the robbery that preceded the deputy involved shooting. Upon the conclusion of a brief discussion, it was decided that Deputy Herrera would interview Suspect Rojas regarding the robbery prior to Homicide Investigators interviewing Suspect Rojas regarding the deputy involved shooting.

Deputy Herrera further indicated that he would handle any prosecution in this matter regarding the robbery charge.

Deputy Herrera also advised Investigators that he had ascertained that Suspect Rojas was currently on parole for robbery. He stated he had notified the California Department of Corrections of the suspect's arrest at which time the duty officer stated that he would send a parole hold transmittal to be placed against Suspect Rojas.

Prior to conducting any interviews, Sergeant Wulwick, Lakewood Station Patrol, provided Investigators with an audio tape cassette consisting of his interviews of Witness [redacted] and [redacted]. Sergeant Wulwick conducted these interviews beginning at approximately 0817 hours, prior to ascertaining that the suspect in this case had in fact been injured.

Investigators subsequently ascertained that the suspect had no obvious signs of injury nor did he complain of any injury at the time of this incident, however, while the suspect was still at the scene of the deputy involved shooting, it was ascertained that he had received minor injuries apparently caused by bullet fragments.

The following is a brief summary of the interview of Witness [redacted] which was conducted by Sergeant Wulwick. This interview started at 0817 hours and lasted for approximately four minutes.

Witness [redacted] stated she was driving her vehicle westbound on 68th Street and stopped at Atlantic Boulevard at which time she observed a white vehicle exiting the 91 Freeway with a police vehicle in pursuit. She stated the marked patrol vehicle had its red lights and siren activated. She continued stating that as the white vehicle neared her location on Atlantic Boulevard, the man jumped out of the car while it was still moving and then he ran westbound between two apartment units. She explained the driveway between the two apartment units was directly across the street from her location.

Witness [redacted] then observed the officer stop his patrol vehicle and pursue the man on foot. During this pursuit, she heard the officer yelling for the suspect to stop. Witness [redacted] stated it was obvious that the suspect knew he was being pursued by a uniformed officer.

Witness [redacted] continued that she had seen a gun in the officer's hand as he was pursuing the suspect and heard only one gunshot. She stated at this point she became upset and scared, as she feared for the officer's safety.

A complete transcript of this tape recorded interview will be submitted with this report.

The following is a brief summary of Sergeant Wulwick's interview of Witness [redacted] which began at 0820 hours and was conducted at the scene of the deputy involved shooting.

Witness [redacted] stated that he was a passenger in a vehicle, with Witness [redacted] as the driver, as they were stopped at 68th Street at Atlantic Boulevard at which time she informed him it appeared that there was an officer in pursuit of a vehicle. Witness [redacted] stated that he observed the white vehicle on Atlantic Boulevard, but he did not hear or observe the marked police vehicle.

Witness [redacted] continued that he observed the officer in foot pursuit of the suspect and heard the officer shouting for the suspect to stop. He stated he observed the officer, who was in uniform, had a handgun in his right hand at that time. He continued he observed the officer chasing the suspect westbound in a driveway between some apartment units which were almost directly across the street from him.

Witness [redacted] concluded that he heard two gunshots but did not witness the shooting.

A complete transcript of the tape recorded interview will be submitted with this report.

At 1230 hours, 12-16-91, Investigators interviewed Witness [redacted] at Lakewood Sheriff's Station. Prior to conducting this interview, Investigators allowed Witness [redacted] to listen to her tape recorded interview with Sergeant Wulwick to ascertain if she desired to change any portion of her statement or if she had anything that she would like to add to her statement.

After listening to her taped interview with Sergeant Wulwick, Witness [redacted] stated she could not think of anything else that she wished to add to her statement.

The following is a brief summary of the interview with Witness [redacted]. Witness [redacted] stated she observed the officer pursuing the suspect on Atlantic Boulevard, and as the suspect vehicle neared her location, the suspect jumped out of the vehicle and ran westbound in the driveway of some apartment buildings which were directly across Atlantic Boulevard from her. She continued at that time she became concerned for the officer's safety as she observed the officer was by himself, and she wondered where his backup was. She stated as she observed the officer pursuing the suspect, she heard the officer shout "stop" at least three or four times. She explained that she could hear the officer clearly from

her position which was across Atlantic Boulevard from the officer's location. She stated the officer was in full uniform and had been driving a black and white marked patrol vehicle.

Witness [redacted] stated she became extremely fearful for the officer's safety and then drove her vehicle into the driveway to the west end of the apartment buildings at which time she observed the officer detaining the suspect at gunpoint. Witness [redacted] then stated she drove back to the street (Atlantic Boulevard) in order to direct additional responding officers to the location where the officer was detaining the suspect.

Witness [redacted] stated that after the other officers arrived, she again drove her vehicle westbound in the driveway to the rear of the apartment buildings and waited at that location upon request of the responding officers.

Witness [redacted] continued that the officers were subsequently video taping the scene of the shooting and the suspect, at which time she observed some minor injuries to the suspect. She stated it looked like he had scratches on his back and on his knee and explained that it looked like the scratches were the type that one would incur if one had fallen down.

This interview was concluded at 1239 hours. A complete transcript of the tape recorded interview will be submitted with this report.

At 1245 hours, 12-16-91, Investigators interviewed Witness [redacted] at Lakewood Sheriff's Station. Prior to starting the tape recorded interview, Witness [redacted] was allowed to listen to his tape recorded interview with Sergeant Wulwick which was conducted earlier at the scene of the deputy involved shooting to ascertain if there was anything he wished to add or change in that interview. Witness [redacted] replied that he could offer no additional information. The following is a brief summary of Witness [redacted]'s interview.

Witness [redacted] stated that he was a passenger in the vehicle being driven by Witness [redacted]. This vehicle was stopped facing westbound on 68th Street at Atlantic Boulevard at which time he observed the officer pursuing the suspect on foot. He stated at this point he did not observe the officer's vehicle but did observe a white vehicle on Atlantic Boulevard which was unoccupied at the time.

Witness [redacted] stated the officer was in uniform and chased the suspect on foot westbound in a driveway between some apartment buildings on the opposite side of Atlantic Boulevard from his location. He stated at this time he heard the officer shout for the suspect to stop. The suspect apparently ignored his commands.

Witness [redacted] explained that at the time he heard the officer ordering the suspect to stop, he [redacted]) was approximately 40 to 50 yards away from the officer, however, he could hear him clearly. The witness continued that a moment later he heard two gunshots being fired.

Witness [redacted] stated that Witness [redacted] then drove her vehicle westbound across Atlantic Boulevard and into the parking lot of the apartment buildings. He continued that additional deputies arrived at the location, and the suspect was apparently taken into custody.

Witness [redacted] stated that after a while, he observed the deputies inspecting the suspect, apparently in an attempt to ascertain if he had been injured. Witness [redacted] stated the deputies lifted the suspect's shirt, and he was then able to see what appeared to be scratches on the suspect's back.

Witness [redacted] indicated that he did not observe any other injuries to the suspect. He stated that at the time he observed the suspect being inspected for injuries, he was certain this was the same person the officer had pursued.

This tape recorded interview was concluded at 1314 hours. A transcript of the complete interview will be submitted with this report.

At approximately 1500 hours, 12-16-91, Investigators were contacted by Lakewood Station Detectives Herrera and Blackburn subsequent to their interview of Suspect Rojas. They advised Investigators that Suspect Rojas had initially made untruthful statements during their interview, however, he subsequently admitted committing the robbery which occurred at Gahr High School but denied being armed with a handgun.

Refer to the supplemental report by Deputy Herrera under this file number.

At 1510 hours, 12-16-91, Investigators contacted Suspect **LEONARD ROJAS** in an interview room at Lakewood Sheriff's Station.

It should be noted that Investigators were aware that Suspect Rojas had been taken to Doctor's Hospital of Lakewood and examined by Dr. Jetton. This examination included an x-ray of the suspect's lower left back which confirmed there were not any bullet fragments in the suspect's back. Dr. Jetton also examined a minor abrasion on the suspect's left knee.

At the conclusion of this examination, Dr. Jetton stated that neither of the suspect's injuries required any medical attention

nor any type of bandage. Dr. Jetton approved the suspect for booking at Lakewood Sheriff's Station.

Investigators advised Suspect Rojas they were conducting an investigation as to the circumstances and events that resulted in the deputy involved shooting and not a robbery investigation. Investigators advised Suspect Rojas that they had spoken to Detectives Herrera and Blackburn regarding their interview with him. Further, that Homicide Investigators were aware that Suspect Rojas had initially been untruthful in his statement to them regarding his involvement in the robbery.

Investigators also advised Suspect Rojas they were aware that he subsequently admitted committing the robbery at Gahr High School but denied being armed with any type of a handgun.

Investigators advised Suspect Rojas they would like him to make a truthful statement regarding his activities beginning at the point Suspect Rojas first observed the marked black and white Sheriff's patrol vehicle on the 91 Freeway. Suspect Rojas, who was not advised of his Constitutional Rights by Homicide Investigators, replied that he would tell the truth and made the following brief statement.

Suspect Rojas stated he was driving westbound on the 91 Freeway when he observed the marked Sheriff's patrol vehicle, at which time he exited the freeway at Atlantic Avenue and turned northbound as he observed the Sheriff's vehicle was in pursuit. The suspect continued northbound on Atlantic and jumped out of the vehicle near 68th Street and ran westbound into the driveway of an apartment building. The suspect continued that the deputy pursued him on foot and fired two or three shots at him and subsequently took him into custody.

In response to Investigators' questions, Suspect Rojas stated that he attempted to flee from the deputy as he had just committed a robbery and was also currently on state parole. He stated his parole officer is [redacted] out of the Long Beach Office.

In response to Investigators' questions, the suspect stated he is a former "Compton T-Flats" gang member, although he currently resides in the city of Artesia and has not associated with the "T-Flats" gang in the in the past two or three years.

Suspect Rojas stated his street name is "Grumpy". Investigators observed the word "Grumpy" and the initials "TF" tattooed on his stomach.

Investigators further observed the suspect was wearing a long sleeved green sweatshirt over a white T-shirt, blue Levis, and

white socks. Suspect Rojas stated he was also wearing a black jacket at the time of his arrest.

At this time, Investigators asked Suspect Rojas if he would willingly participate in a tape recorded interview regarding the details of the circumstances and events that resulted in the deputy involved shooting. Investigators also re-emphasized their desire to have him make a totally truthful statement.

Investigators began the tape recorded interview of Suspect Rojas at 1527 hours. The following is a brief summary of the tape recorded interview.

Suspect Rojas stated that this morning he was driving the above-listed stolen vehicle westbound on the 91 Freeway at which time he observed a marked Sheriff's patrol unit stopped at the side of the freeway to his right. In response to questions, he stated that he believed the patrol vehicle was there to pull him over and was going to wait for the officer to make his move, but at that time he saw the opportunity to get off the freeway and believed the patrol vehicle was going to get stuck in traffic. He indicated that he took the first exit available, which he believed was Atlantic Boulevard and made a right turn going northbound on Atlantic.

The suspect drove for a short distance, slowed down, exited the vehicle as it was still moving, and ran westbound into a driveway next to some apartments in an attempt to flee from the officer. He was able to describe the stolen vehicle only as being white in color. He believes the moving vehicle eventually stopped at the sidewalk. He also indicated he was the driver and the only occupant of the vehicle.

The suspect stated that as he ran he could see the patrol car approaching with its red lights and siren activated. He stated, "All I know is as I was turning, two shots were fired."

Investigators asked the suspect if he heard the officer say anything prior to the two shots being fired. The suspect replied no. Investigators then asked the suspect if the officer had shouted for him to stop. The suspect replied, "I don't know." Investigators asked Suspect Rojas why he did not stop as he obviously knew the officer was pursuing him. The suspect replied, "Cause I had two warrants out for my arrest." Suspect Rojas continued that the two warrants were traffic warrants.

Investigators then asked if that was the only thing he was worried about (the two traffic warrants). The suspect replied, "Well yeah, going back to jail."

Investigators then reminded Suspect Rojas that prior to the tape recorded interview he had stated that he had fled from the officer as he had just committed a robbery and was in violation of his parole. Investigators advised Suspect Rojas that they believed this was the reason he had fled from the officer rather than just a couple of traffic warrants. Suspect Rojas reluctantly agreed that it was a true statement.

Investigators asked Suspect Rojas if at the time he was running westbound in the driveway and approached the southwest corner of the apartment, if he had stopped at this point. The suspect replied, "I didn't wanna stop there. He was shooting."

Investigators asked the suspect if at any point he had stopped and turned to look back at the officer. The suspect replied, "No, if I would've stopped, I would've gave him a good chance for him to shoot me."

Suspect Rojas continued that he turned northbound at the southwest corner of the apartment building, and as he continued running, he observed he was trapped in an area with the block wall to the north and carports to the west and the apartment building to the east. He stated as he approached the wall at the north end of the carport area, he attempted to move a refrigerator so he could get on top of it and onto the wall and then escape. Investigators asked what happened at that point. The suspect replied that he heard the officer say, "Freeze," so he turned around and told the officer, "Okay, I give up," and continued that as he was putting his hands up and telling the officer, "I give up," the officer just took a shot at him. The suspect stated that is how he got the injury to his back.

Investigators asked Suspect Rojas how he had received the injury to his knee. He replied that as he was jumping from the stolen vehicle, he fell on his knee.

Investigators asked the suspect if he had received any other injuries, and he replied, "no."

In response to Investigators' questions, the suspect stated that he did not become aware that he had received an injury to his lower back until sometime after the officers had apprehended him. He explained that he was seated in the back seat of his patrol vehicle with his hands cuffed behind him, at which time the sergeant or lieutenant approached him and asked him if he had been injured. He replied that he told the officer that he felt a burning sensation on the left side of his back. The officer stated, "Let me see it," at which time the officers observed that he had a minor injury to his back, and the suspect stated he believes the officers took photographs of his injuries.

Investigators advised Suspect Rojas they had examined his jacket and did not observe any blood on it. At this time Investigators had Suspect Rojas stand up, at which time they were unable to observe any blood on his green sweatshirt. Suspect Rojas then pulled up his sweatshirt at which time Investigators observed a small amount of blood on the white T-shirt which was beneath the sweatshirt.

Investigators had Suspect Rojas pull up his white T-shirt at which time they observed three small abrasions on the left side of his lower back. Investigators also had Suspect Rojas roll up his left pant leg at which time they observed a small "scrape type" abrasion below his left knee.

At the direction of Investigators, photographs were taken of the suspect's two injuries.

In response to Investigators' questions, the suspect stated he believes the deputy fired a total of three shots at him. He explained he recalled the deputy fired two shots at him as he was turning northbound at the southwest corner of the apartment building and believed he fired one more shot at him while he was standing behind a refrigerator at the north end of that driveway.

In response to Investigators' questions, the suspect stated he had his back to the deputy as the deputy fired his first two shots and was facing the deputy as the deputy fired the third shot at him.

In response to Investigators' questions, the suspect denied being armed with a handgun at any time during the robbery, subsequent vehicle pursuit, and foot pursuit. Suspect Rojas continued that at the time of his arrest, the deputy was asking him what he had done with the gun. He indicated that he replied, "There wasn't no gun."

Upon further questioning, Suspect Rojas recalled that he made some type of statement to the deputies to the effect that he must have imagined the gun as he was scared. He stated his eyes were so open, he got scared, and he imagined it. Suspect Rojas explained that he was referring to the victim of the robbery.

Suspect Rojas continued that the deputy again asked him about the gun, and he replied, "I don't know what gun you're talking about." The deputy advised him that on the report he was advised the suspect was armed. The suspect stated to the deputy, "I never did have a gun."

During the interview, Investigators again asked Suspect Rojas why he did not stop and surrender to the deputy. He replied, "I probably figured that I could get away."

In response to Investigators' questions, Suspect Rojas stated that he had been incarcerated in state prison regarding a robbery conviction and was paroled on 10-02-90.

The tape recorded interview was concluded at 1607 hours. A transcript of the complete interview will be submitted with this report.

At approximately 1610 hours, Investigators contacted Lakewood Station Detectives Herrera and Blackburn who provided Investigators with a copy of Suspect Rojas' criminal history record which listed [redacted] They also provided Investigators with a copy of Suspect Rojas' signed confession regarding his present robbery arrest. The two documents will be made a permanent part of this file.

At 1630 hours, 12-16-91, Investigators conducted a tape recorded interview with Deputy **GERALD PILLEN**, #[redacted]. This interview was conducted at Lakewood Sheriff's Station. The following is a brief summary of Deputy Pillen's interview.

Deputy Pillen stated that he has been employed as a deputy Sheriff since January of 1985 and as been assigned as a patrol officer at Lakewood Station since March of 1988. He stated he is assigned to a 5-2 schedule (two days off) which are Wednesday and Thursday. He is assigned to the day shift, working between [redacted] hours, and had worked on the previous day, 12-15-91. He stated he did not work any overtime and had slept for approximately 7 hours on Sunday night prior to reporting to work this morning.

It should be noted that prior to this interview, Investigators examined Deputy Pillen's 9mm Berretta pistol, serial #BER026740Z, which is his duty weapon. Investigators observed the weapon to be loaded with 12 rounds of departmentally issued ammunition as follows. One round was observed in the chamber, and 11 rounds were observed in the magazine.

Deputy Pillen's duty weapon was subsequently transported to the Sheriff's Criminalistics Laboratory, Firearms Identification Section for examination. Receipt #H462315 was obtained.

Deputy Pillen stated that today, 12-16-91, he was assigned Paramount Unit 136. He indicated his duty weapon was fully loaded with 15 rounds in the magazine and one in the chamber. In response to Investigators' questions, Deputy Pillen replied he was aware that he had fired four rounds of departmentally issued ammunition during this incident. Deputy Pillen continued that he was working as a uniformed deputy Sheriff in a marked black and white patrol vehicle, at approximately 0720 hours this morning he

heard a crime broadcast by a Cerritos unit regarding an armed robbery where a vehicle was stolen at gunpoint. The suspect was described as a lone male Hispanic wearing a leather jacket. The vehicle was described as a white Ford Mustang, license #[redacted], and the weapon as a .22 caliber chrome semi-automatic pistol. The broadcast further indicated the armed robbery had occurred at Gahr High School in the city of Cerritos.

Deputy Pillen stated that acting upon this information, he positioned his patrol vehicle on the shoulder of the westbound 91 Freeway near Garfield Avenue in an attempt to locate the stolen vehicle. He continued that the traffic on the freeway was very slow and congested, at which time he observed the suspect driving the victim's vehicle in the number 2 westbound lane of the freeway. Deputy Pillen followed the vehicle, verified the license plate number, and initiated a radio broadcast, indicating that he was following the stolen vehicle westbound on the 91 Freeway from Garfield Avenue.

Deputy Pillen observed the suspect make a sharp lane change of three lanes to the off-ramp of Atlantic Avenue, at which time he activated his red lights and siren and went in pursuit of the vehicle. He observed the suspect turn the vehicle right, (northbound) on Atlantic Avenue at which time the suspect appeared to lose control of the vehicle. He then observed the suspect jump out of the vehicle as the vehicle continued traveling northbound without a driver.

Deputy Pillen continued that he kept the suspect in sight as he stopped his vehicle along the west curbline of Atlantic Avenue and initiated a radio broadcast that he was going into a foot pursuit. Deputy Pillen pursued the suspect on foot through a driveway between two apartment complexes in a westerly direction from Atlantic Avenue. Deputy Pillen observed the suspect stop as he reached the southwest corner of the apartment building at which time the suspect turned toward him.

Deputy Pillen continued that based on the information of the call, the suspect was armed, and the fact that he felt the suspect was taking a position of advantage (cover) at the corner of the building, and he (Pillen) was in the center of the open parking lot, he feared that the suspect was going to start shooting. At this time, Deputy Pillen fired one round at the suspect and then observed the suspect disappear around the corner of the building, running northbound.

Deputy Pillen then moved to the corner of the building where the suspect had been located and peered around the corner of the building, at which time he observed the suspect taking cover behind an abandoned refrigerator, which was located in the parking lot northwest of Deputy Pillen's location.

Deputy Pillen continued that he observed the suspect peer around the west side of the refrigerator and believed the suspect was waiting for him to come out in the open so the suspect would be able to shoot him. At this time, Deputy Pillen, fearing that the suspect was about to fire at him, fired his second and third shots. He then observed the suspect quickly move from behind the refrigerator and dive behind the dumpster located nearby as Deputy Pillen fired his forth and final shot.

Deputy Pillen stated that the suspect then put out his hands from behind the dumpster and began yelling, indicating that he was surrendering. Deputy Pillen, who was still alone at this point, had the suspect prone himself out on the ground and ordered the suspect to keep his hands away from his body. He stated the suspect complied.

Deputy Pillen held the suspect at gunpoint until the assisting units arrived.

In response to Investigators' questions, Deputy Pillen stated that he feared for his life as he was alone pursuing an armed robbery suspect who he believed was armed with a handgun and fired at the suspect only when he felt his life was in danger. On the two occasions the suspect had suddenly taken a position of cover and advantage, Deputy Pillen feared the suspect was going to shoot at him.

Deputy Pillen stated that assisting deputies handcuffed the suspect and placed him in the back seat of the radio car and did not observe any injuries to the suspect at that time. He further stated the suspect did not complain of any type on injury.

Deputy Pillen first became aware of the suspect's injury as assisting deputies removed the suspect from the radio car in order to video tape him and the surrounding scene.

The interview was concluded at 1700 hours. A transcript of the complete interview will be submitted with this report.

It should be noted that the suspect's jacket was held in evidence at Lakewood Station regarding the robbery investigation.

On 12-17-91, Sergeant Sears received a telephone call from Deputy Tim Blackburn who stated the victim of the robbery had positively identified a photograph of Suspect Rojas which was contained in a mug photo show-up folder. Detective Blackburn stated the victim was certain the suspect was armed with a handgun at the time the robbery occurred.

At 1630 hours, 12-19-91, Sergeant Sears received an additional phone call from Detective Blackburn who stated that he had obtained complaint #VA013225 charging Suspect Rojas with one count of armed robbery, one count use of a firearm, and a third count alleging the suspect's prior felony conviction for robbery.

Investigation continuing with further reports to follow.

SERGEANT JAMES SEARS, #[redacted]
INVESTIGATOR GERALD BURKS, #[redacted]
APPROVED: LIEUTENANT DON BEAR D.Bear
HOMICIDE BUREAU - DETECTIVE DIVISION

SILVA/WPII